

REMARKS

Claims 1 and 36-74 are pending in the instant patent application. Claims 2-35 were previously cancelled. Herein, Claims 1, 51, 52, and 54 have been amended. No new matter has been added by these amendments. Further examination and reconsideration in view of the claims, remarks, and arguments set forth below is respectfully requested.

CLAIM REJECTIONS

35 U.S.C. §112 Rejections

Claims 1 and 36-60 stand rejected as failing to comply with 35 U.S.C §112, paragraph two. Specifically, Claims 1 and 54 are rejected, “as being incomplete for omitting essential structural cooperative relationships of elements, such omission amounting to a gap between the necessary structural connections.”

Applicants respectfully submit that the amendments to Claims 1 and 54 overcome these rejections.

35 U.S.C. §102 Rejections

Claims 1 and 36-74 are rejected under 35 U.S.C. §102(e), as being anticipated by Kenner et al. U.S. Patent No. 6,665,706 (hereinafter Kenner). Applicants have reviewed the cited reference and respectfully submit that the embodiments of the present invention as recited in the Claims are not anticipated by the Kenner reference. The rejections are respectfully traversed for the following rationale.

Claims 1, 36-60

The Examiner is respectfully directed to independent Claim 1, which recites:

A method for managing a streaming media service, said method comprising:
receiving a request for a streaming media service from a client, said streaming media service comprising a media service component;
selecting a service location manager to which to provide said request from a plurality of service location managers, said service location manager configured for selecting a service provider from a plurality of service providers;
selecting said service provider to which to assign said media service component from a plurality of service providers of a network;
informing said service provider of said assignment to perform said media service component, causing said service provider to prepare to perform said streaming media service on streaming media;
using information to determine whether to initiate a handoff of said streaming media service from said service provider to another service provider;
and
if it is determined to initiate said handoff, initiating said handoff.
(emphasis added)

Independent Claim 54 recites limitations similar to those of independent Claim 1. Claims 36-53 depend from independent Claim 1 and recite further limitations of the claimed invention. Claims 55-60 depend from independent Claim 54 and recite further limitations of the claimed invention.

The Applicants submit that the Kenner reference does not teach or suggest, either expressly or inherently, the limitation of, “receiving a request for a streaming media service from a client, said streaming media service comprising a media service component,” as is recited in Claim 1. Therefore, Claim 1 is not anticipated. Per applicants understanding, the Kenner reference teaches a system and method for optimized storage and retrieval of data on a distributed computer network. See, e.g., the Abstract of Kenner. However, the Kenner reference

appears silent with respect to, “receiving a request for a streaming media service from a client,” as recited in Claim 1. Per Applicants understanding, the Kenner reference teaches managing received requests for a delivery site (26, 28, 30), which a user terminal can receive content from. See, e.g., col. 7, line 65 - col. 8, line 5. However, in the Kenner reference, a delivery site 12 is merely a site which stores data or files for delivery (see, e.g., col. 7, lines 60-65), and does not provide a, “streaming media service comprising a media service component”, as is recited in Claim 1.

Furthermore, Applicants respectfully submit that the Kenner reference is silent with regard to, “selecting a service location manager to which to provide said request from a plurality of service location managers, said service location manager configured for selecting a service provider from a plurality of service providers” and “selecting said service provider to which to assign said media service component from a plurality of service providers of a network”, as are recited in Claim 1. As previously described, a delivery site as disclosed by Kenner merely stores data, or files for delivery. Thus, managing and selecting delivery sites as taught in Kenner, is fundamentally different than, “selecting a service location manager to which to provide said request from a plurality of service location managers, said service location manager configured for selecting a service provider from a plurality of service providers” and “selecting said service provider to which to assign said media service component from a plurality of service providers of a network” as are recited in Claim 1.

Similarly, Applicants submit that the Kenner reference is also silent with respect to, “informing said service provider of said assignment to perform said media service component”

and “using information to determine whether to initiate a handoff of said streaming media service from said service provider to another service provider” and “if it is determined to initiate said handoff, initiating said handoff”, as are recited in Claim 1.

Consequently, for at least the rationale cited above, Applicants submit that the Kenner reference does not anticipate the embodiments of the Applicants’ invention as recited in Claim 1.

Therefore, Applicants respectfully submit that the Kenner reference fails to anticipate the Applicants’ invention as is set forth in Claims 1 and 54, and as such, Claims 1 and 54 overcome the rejection under 35 U.S.C. 102(e), and Applicants submit these claims are in condition for allowance. Accordingly, the Applicants also respectfully submit that the Kenner reference does not anticipate the embodiments of the claimed invention as recited in Claims 36-53 dependent on Claim 1, or Claims 55-60 dependent on Claim 54, and that these Claims overcome the rejection under 35 U.S.C. 102(e) through dependency on allowable base claims.

Claims 61-74

The Examiner is respectfully directed to independent Claim 61, which recites:

A system for providing streaming content to a client device, said system comprising:

a plurality of service location managers, each service location manager capable of managing a handoff of a service based on information received;

a plurality of service providers, each service provider capable of performing said service on an item of streaming input content to produce said streaming content; and

a portal providing a first point of contact for said client device, said portal for receiving from said client device a request for performance of said service on said item of streaming input content, said portal for selecting a service location manager to which to provide said request from said plurality of service location managers, said service location manager for receiving said request from said

portal and for selecting a service provider from said plurality of service providers and informing said service provider of said assignment to perform said service on said streaming input content to produce said streaming content, wherein said service location manager uses information to determine whether to initiate a handoff of said service from said service provider to another service provider.
(emphasis added)

Applicants respectfully submit that the Kenner reference is silent with respect to, “a plurality of service providers, each service provider capable of performing said service on an item of streaming input content to produce said streaming content”, as recited in Claim 61.

Applicants refer to the discussion of Claim 1 above, which indicates that the delivery sites disclosed by Kenner merely store data or files for delivery, as opposed to the service providers recited in Claim 61, which are “capable of performing said service on an item of streaming input content to produce said streaming content”. As such, for at least this reason, Applicants submit that Claim 61 is not anticipated by the Kenner reference.

Therefore, Applicants respectfully submit that the Kenner reference fails to anticipate the Applicants’ invention as is set forth in Claim 61, and as such, Claim 61 overcomes the rejection under 35 U.S.C. 102(e), and Applicants submit this Claim is in condition for allowance. Accordingly, the Applicants also respectfully submit that the Kenner reference does not anticipate the embodiments of the claimed invention as recited in Claim 62-74 which are dependent on Claim 61, and that these Claims overcome the rejection under 35 U.S.C. 102(e) through dependency on an allowable base claim.

CONCLUSION

It is respectfully submitted that the above claims, arguments, and remarks overcome all rejections. For at least the above-presented reasons, it is respectfully submitted that all remaining claims (Claims 1 and 36-74) are in condition for allowance.

The Examiner is invited to contact Applicants' undersigned representative if the Examiner believes such action would expedite resolution of the present Application.

Respectfully submitted,

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Dated: 9/15/06



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